

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1074

Introduced by

Representatives Wald, Belter, Byerly, Grosz

Senators Kelsh, Solberg

1 A BILL for an Act to create and enact three new subdivisions to subsection 1 of section
2 39-09-02 of the North Dakota Century Code, relating to speed limits greater than fifty-five miles
3 an hour; and to amend and reenact subsection 8 of section 39-06.1-06, paragraph 34 of
4 subdivision a of subsection 3 of section 39-06.1-10, and subdivisions f and g of subsection 1 of
5 section 39-09-02 of the North Dakota Century Code, relating to the speed limits and fees and
6 demerits for violations of the speed limit.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Subsection 8 of section 39-06.1-06 of the 1995
9 Supplement to the North Dakota Century Code is amended and reenacted as follows:

10 8. On a highway on which the speed limit is a speed higher than fifty-five miles [88.51
11 kilometers] an hour ~~as posted and designated by the commissioner pursuant to~~
12 ~~subdivision g of subsection 1 of section 39-09-02~~, for a violation of section
13 39-09-02, or an equivalent ordinance, a fee established as follows:

14 Miles per hour over	
15 lawful speed limit	Fee
16 1 - 5	\$ 10 plus \$1/each mph over limit
17 6 - 10	\$ 15 plus \$2/each mph over 5 mph over limit
18 11 - 15	\$ 25 plus \$3/each mph over 10 mph over limit
19 16 - 25	\$ 40 plus \$3/each mph over 15 mph over limit
20 26 - 35	\$ 70 plus \$3/each mph over 25 mph over limit
21 36 +	\$100 plus \$5/each mph over 35 mph over limit

22 **SECTION 2. AMENDMENT.** Paragraph 34 of subdivision a of subsection 3 of section
23 39-06.1-10 of the 1995 Supplement to the North Dakota Century Code is amended and
24 reenacted as follows:

(34) On a highway on which the speed limit is a speed higher than fifty-five miles [88.51 kilometers] an hour ~~as posted and designated by the commissioner pursuant to subdivision g of subsection 1 of section 39-09-02~~, operating a motor vehicle in excess of the speed limit in violation of section 39-09-02, or equivalent ordinance

Miles per hour over lawful speed limit	Points
6 - 10	1
11 - 15	4
16 - 25	7
26 - 35	10
36 +	12

SECTION 3. AMENDMENT. Subdivisions f and g of subsection 1 of section 39-09-02 of the 1995 Supplement to the North Dakota Century Code are amended and reenacted as follows:

- f. Fifty-five miles [88.51 kilometers] an hour ~~under other circumstances on gravel, dirt, or loose surface highways and paved two-lane highways without speed limit signs~~, unless otherwise permitted, restricted, or required by conditions, ~~and except as provided in subdivision g.~~
- g. ~~If a speed higher than fifty five~~ Sixty miles [88.51 ~~96.57~~ kilometers] an hour is ~~permitted under federal law without loss of federal funds to this state, and on paved two-lane highways signed for that speed and paved and divided, multilane highways if within the time period of one-half hour after sunset to one-half hour before sunrise~~, unless otherwise permitted, restricted, or

required by conditions, ~~any higher speed so permitted and so designated and posted by the commissioner.~~

SECTION 4. Three new subdivisions to subsection 1 of section 39-09-02 of the 1995 Supplement to the North Dakota Century Code are created and enacted as follows:

Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if within the time period of one-half hour before sunrise to one-half hour after sunset, unless otherwise permitted, restricted, or required by conditions.

Seventy miles [112.65 kilometers] an hour on paved and divided, multilane highways if within the time period of one-half hour before sunrise to one-half hour after sunset, unless otherwise permitted, restricted, or required by conditions.

Seventy-five miles [120.70 kilometers] an hour on access controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.